

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

OFFICER PAMELA LEE, CANDACE BATTEN-LEE, )  
OFFICER TERESA WELBORN, ELIZABETH J. )  
PIETTE, BATTALION CHIEF RUTH MORRISON, )  
MARTHA LEVERETT, )  
SERGEANT KAREN VAUGHN-KAJMOWICZ, )  
TAMMY VAUGHN-KAJMOWICZ )  
and J. S. V., T. S. V. and T. R. V. )  
BY THEIR PARENTS AND NEXT FRIENDS, )  
SERGEANT KAREN VAUGHN-KAJMOWICZ and )  
TAMMY VAUGHN-KAJMOWICZ )

Plaintiffs, )

-vs- )

MIKE PENCE, in his official capacity )  
as Governor of the State of Indiana; )  
BRIAN ABBOTT, CHRIS ATKINS, )  
KEN COCHRAN, STEVE DANIELS, )  
JODI GOLDEN, MICHAEL )  
PINKHAM, KYLE ROSEBROUGH )  
and BRET SWANSON, in their official )  
capacities as members of the Board of )  
Trustees of the Indiana Public Retirement )  
System; and STEVE RUSSO, in his )  
official capacity as Executive Director )  
of the Indiana Public Retirement )  
System, )

Defendants. )

Cause No:

1:14-cv-00406-JMS-DKL

**AFFIDAVIT OF OFFICER TERESA WELBORN AND ELIZABETH PEITTE**

Officer Teresa Welborn and Elizabeth Peitte, being of lawful age  
and being duly sworn state as follows:

1. We are over the age of eighteen, competent to testify in these  
proceedings and have personal knowledge of the facts and matters

EXHIBIT:

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Affidavit of Officer Teresa Welborn and Elizabeth Piette  
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contained within this affidavit.

2. Officer Teresa Welborn and Elizabeth Piette have been a couple for five years. The couple married in Hawaii on December 13, 2013.

3. Officer Welborn is an active member of the 1977 Police Officers' and Firefighters' Pension and Disability Fund ("Pension Fund") and attests that attached hereto as Exhibit 1 is a true and accurate copy of the Application for Beneficiary Designation that she executed on or about January 30, 2014. Officer Welborn made application for the designation of Elizabeth Piette as her spouse and primary beneficiary for purposes of the Pension Fund. As of this date, the Pension Fund has not formally responded.

4. For nearly 26 years, Officer Welborn has been a police officer with the Indianapolis Metropolitan Police Department. Officer Welborn currently serves as a patrol officer and has additionally served as a field training officer, an emergency vehicle operations instructor, an instructor at the law enforcement academy and a community relations officer. Officer Welborn wears a bullet proof vest to work everyday and patrols the streets of the west side of Indianapolis alone. She takes emergency runs and handles accident calls.

5. In January 2014, Officer Welborn was awarded the Medal of Valor for apprehending and arresting a man as he was stabbing his

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pregnant girlfriend in the abdomen. Officer Welborn arrested and took the knife-wielding perpetrator into custody with the use of a taser as she could not without the use of her gun due to the danger posed to others who were present.

6. In the 1990's, Officer Welborn received the Medal of Bravery and was inducted into the Red Cross Hall of Fame after she and other officers ran into a burning building where the spinkler system was not operating to save rescue the building's occupants.

7. Early in her career, Officer Welborn received a letter of commendation for her handling of a routine traffic stop that became a dangerous situation after she discovered an unusual number of rifles in the vehicle that was stopped.

8. Officer Welborn confronts potentially dangerous situations every day she patrols while serving and protecting the people of Indianapolis. Both Officer Welborn and Elizabeth's concern grows increasingly due to the reduction in the number of other officers on the streets of Indianapolis because of budget restrictions. Every day Officer Welborn patrols alone and must take emergency runs by herself means her chances of being hurt or killed is increasing. As an example, Officer Welborn noted that she responded by herself to an emergency dispatch of shots fired less than two weeks before this affidavit was executed.

9. For the last 17 years, Elizabeth Piette has worked within the

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IU Health system as a nurse, most recently as a nurse practitioner providing palliative care for the seriously ill. Elizabeth says that she and Teresa are "soul mates." Both "have witnessed human tragedy" and see people "at the worst times of their lives." Elizabeth says "this has given us a perspective on what is important" and [w]e choose our battles carefully." Neither decided lightly to enter this litigation to fight for recognition of that which they hold closest to their hearts - their love and commitment to each other. And, they are also concerned for future generations, as expressed by Elizabeth: "I pray that no person spends their adolescence in pain because of whom they love."

10. Officer Welborn is willing to serve and protect the people of Indianapolis but Officer Welborn does not think it is just that the State of Indiana is willing to provide financial security to the opposite sex spouses of officers who are killed in the line of duty and yet refuse to provide Elizabeth that same financial security should Officer Welborn be killed while serving and protecting the people of Indianapolis. Officer Welborn is worried about whether Elizabeth will have the financial security to continue living in their home and to continue caring for the dogs, which mean the world to both of them.

11. Officer Welborn and Elizabeth believe that the refusal by the Pension Fund and the State of Indiana to recognize their marriage shames and dishonors them and the work Officer Welborn does for the

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people of Indianapolis. They believe the refusal to recognize their marriage is the equivalent of a public statement that they are second-class citizens, that their love is unworthy and that Officer Welborn, no matter how many acts of courage she may display, will never rise above being a second-class officer.

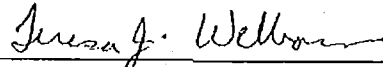
12. Officer Welborn stated: "I am 53 years old and all of my life, I have been gay. It has been a hard road and I have experienced a lot of discrimination. To not be discriminated against and to have my marriage to Elizabeth treated like the marriages of my friends who are married to opposite sex spouses would bring such an immense peace of mind because I wouldn't have to fight the fight anymore."

Further affiants sayeth not.

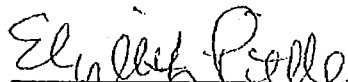
*(Affirmation on Next Page)*

Affidavit  
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I declare under penalty of perjury that the foregoing is true and correct. Executed on April 21<sup>st</sup>, 2014.

  
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Officer Teresa Welborn, Affiant

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 21<sup>st</sup>, 2014.

  
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Elizabeth Piette, Affiant